

AF/1621^{IZW}

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re PATENT Application of
Berscheid, et. al.

Group Art Unit: 1621

Application Serial No. 08/860,007

Examiner: Shippen

Filed: August 4, 1997

For: BIOCIDAL ALCOHOLS, THEIR PRODUCTION AND THEIR USE

December 17, 2004

REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Appellants submit herewith a Reply Brief in triplicate in accordance with
37 C.F.R. § 1.193(b).

Appellants submit that the claimed invention is patentable over the cited
references for the many reasons advanced in the Appeal Brief. Appellants
provide the following additional remarks in response the Examiner's Answer.

Appellants are frustrated by the Examiner's continued refusal to consider
the substantial experimental evidence of record, give proper weight to a previous
favorable examination, and his blatant disregard for established patent law and
rules even after being admonished by the Board in its January 29, 2003
Decision, as discussed below in reference to each of the rejections of record.

Claims 8, 14, 16-18 and 21-25 are patentable under 35 U.S.C. § 103 over
U.S. Patent No. 4,110,430 (Hopp) for the reasons advanced in Appellant's Brief
and for the following reasons.

In his Answer, the Examiner states that:

It is noted that in their reply brief of Paper No. 22 Appellants submitted
additional evidence in the form of screening tests and a reference

Noted 3/21/05
[Signature]